M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

Brian Kent Taylor
C/O Primerica
140 W 2100 S Ste 234
Salt Lake City, UT 84112-2046
License No. 210567

NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER

FAILURE TO PAY FEE

DOCKET No. 2006-155 LC

Enf. Case No. <u>1918</u>

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63-46b-3 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

- Respondent is an insurance producer authorized to do the business of insurance in the State of Utah holding license number 210567.
- 2. Respondent was assessed an address correction fee in the amount of \$35.00 pursuant to U.A.C. Rule R590-102-15(7) on February 8. 2006, that was due on March 15, 2006.
 - 3. Respondent failed to pay the address correction fee when due.

4. Respondent was notified of the past-due fee, and was sent a third invoice on or about June 11, 2006, by certified mail. As of the date of this action, Respondent has failed to pay the fee assessed.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

- l. In failing to pay the address correction fee when due, Respondent violated U.A.C. Rule R590-102-15(7).
- 2. Pursuant to U.C.A. § 31A-2-308(1)(b)(i), when a licensee violates an Insurance Department Rule, the commissioner may assess an administrative forfeiture of up to \$2,500.00 per violation.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

- l. Respondent shall pay an administrative forfeiture in the amount of \$100.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.
- 2. Respondent shall also pay the assessed address correction fee in the amount of \$35.00, in addition to the forfeiture assessed herein. Said payment shall be made no later than ten (10) days after the date this Order becomes final.
- 3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the

request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, P.O. Box 146901, Salt Lake City, Utah 84114-6901, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Jenifer Baker, at the Utah Insurance Department (801) 537-9273.

DATED THIS 5th day of Decryber, 2006.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK KLEINFILED, J.D.

ADMINISTRATIVE LAW JUDGE

Utah Insurance Department

State Office Building, Room 3110

Salt Lake City, Utah 84114 Telephone (801) 538-3800

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING & ORDER

FAILURE TO PAY FEE

To the following:

BRIAN KENT TAYLOR C/O PRIMERICA 140 WEST 2100 SO. STE 234 SALT LAKE CITY, UT 84112-2046

DATED this 5 th day of December, 2006

nda Hardy Unsurance Technician

UTAH Invoice - Original

Page 1

Printed Date: December 05, 2006

Invoice Date: December 05, 2006

Balance Due: \$100.00

Due Date: December 16, 2006

Invoice ID: 314017 Payor ID: 98537

TAYLOR BRIAN KENT PRIMERICA 140 WEST 2100 SOUTH STE 234 SALT LAKE CITY UT 84112-2046

Item Description

12/5/2006 Monetary Penalty Individual

E-Case 1918 Docket 2006-155 LC

Amount

\$100.00

Original Amount Due

\$100.00

UTAH Invoice - Original

Invoice Date: December 05, 2006

Balance Due: \$100.00

Due Date: December 16, 2006

Invoice ID: 314017 Payor ID: 98537

Payor Name: TAYLOR, BRIAN

KENT

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department 3110 State Office Building Salt Lake City, UT 84114-6901

UTAH Invoice - Original

Page 1

Printed Date: December 05, 2006

Invoice Date: February 08, 2006

Balance Due: \$35.00

Due Date: March 15, 2006

Invoice ID: 277737 Payor ID: 98537

TAYLOR BRIAN KENT PRIMERICA 140 WEST 2100 SOUTH STE 234 SALT LAKE CITY UT 84112-2046

Item Description

2/8/2006 Producer Address Correction

Amount

\$35.00

Original Amount Due

\$35.00

UTAH Invoice - Original

Invoice Date: February 08, 2006

Balance Due: \$35.00

Due Date: March 15, 2006

Invoice ID: 277737 Payor ID: 98537

Payor Name: TAYLOR, BRIAN

KENT

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department 3110 State Office Building Salt Lake City, UT 84114-6901